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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,126	10/06/2000	Thomas R. Hull	10432/31	3216

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BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60611

EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/684,126

Applicant(s)

HULL ET AL.

Examiner

Nhon (Gary) D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 11/04/2003
2. Claims 56-67 are pending in this application. Claims 56 and 62 are independent claims.

In the Amendment A, claims 1-55 are canceled, and claims 56-67 are added. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 56, 59, 62, and 65 are rejected under 35 U.S.C. 102(e) as being anticipated by Livingston (US 6,621,590).

As per independent claim 56, Livingston teaches a graphic user interface for a printer console for controlling the printing of a document having one or more pages, wherein each of the one or more pages has associated therewith one or more media/finishing attributes, the graphic user interface comprising:

a page representation for each of the one or more pages (68 and 84 of fig. 3A);

a media/finishing attributes operator interface operatively coupled to each of the one or more pages for viewing and/or adding, deleting or modifying the media/finishing attributes of the

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one or more pages, wherein the media/finishing attributes operator interface for each page may be displayed by selecting the page representation for that page (64 and 58 of fig. 3A; col. 5, lines 29-50).

As per claim 59, which is dependent claim 56, it is inherent in Livingston's system to further comprising a pointing device, and wherein the media/finishing attributes operator interface is displayed when the pointing device is manipulated over the selected page representation.

As per independent claim 62, it is a similar scope to claim 56; therefore, it should be rejected under similar scope.

As per claim 65, which is dependent on claim 62, it is a similar scope to claim 59; therefore, it should be rejected under similar scope.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 57, 58, 60, 61, 63, 64, 66, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston in view of Habib et al. ("Habib", US 5,694,610).

As per claim 57, which is dependent on 56, Livingston does not disclose the media/finishing attributes operator interface for each page is coupled via a button palette operatively coupled to the selected page. Habib discloses a page setup up button palette that operatively coupled to a specific page (203 of fig. 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Habib of a page setup up button palette that operatively coupled to a specific page in Livingston's system since it would allow all the page setup attributes appear on the palette and make it easier for users to control the attributes via the buttons.

As per claim 58, which is dependent on claim 57, modified Livingston does not disclose the button palette is comprised of a floating button palette which hovers above the user interface or may be hidden and triggered to appear when needed by the operator. The Examiner takes Official Notice that a popup window is hidden and triggered to appear when needed by an operator is well known in the Windows operating system. It would have been obvious to an artisan at the time of the invention to add popup feature to the button palette in modified Livingston's system since it would conserve the display space.

As per claims 60 and 61, which are both dependent on claims 56, Livingston does not disclose the media/finishing attributes operator interface is comprised of a pull down menu and the media/finishing attributes operator interface is comprised of a dialog box. Habib discloses a page setup include a pull down menu and a dialog box (203 of fig. 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Habib of a page setup

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include a pull down menu and a dialog box in Livingston's system since it would make it easier for users to control the attributes via the pull down menu and dialog box.

As per claim 63, which is dependent on claim 62, it is a similar scope to claim 57; therefore, it should be rejected under similar scope.

As per claim 64, which is dependent on claim 63, it is a similar scope to claim 58; therefore, it should be rejected under similar scope.

As per claim 66, which is dependent on claim 62, it is a similar scope to claim 60; therefore, it should be rejected under similar scope.

As per claim 67, which is dependent on claim 62, it is a similar scope to claim 61; therefore, it should be rejected under similar scope.

Response to Arguments

7. Applicant's arguments with respect to claims 56-67 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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US 5923013 A to Suzuki, Tadashi et al. discloses Print control system and method for controlling the system in page by page basis.

US 6616359 B1 to Nakagiri, Koji et al. discloses Print control method and apparatus.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen
January 22, 2004


DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100